

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
RAMON A COLON GUZMAN
ELSA D ALCANTARA GARCIA

DEBTOR (S)

CASE NO. 07-03232-ESL

CHAPTER 13

TRUSTEE'S MOTION TO MODIFY OR DISMISS

TO THE HONORABLE COURT:

NOW COMES José R. Carrión, Chapter 13 Trustee, through the undersigned attorney, and very respectfully alleges and prays:

1. Current Plan Base is insufficient to allow compliance with the plan disbursement schedule. 11 USC §1325(a)(6).

2. Trustee moves the Court for an order directing the debtor(s) to amend the confirmed plan within 30 days with the warning that if no action is taken, the case will be dismissed for cause. Cause being debtor's failure to comply with the Court Order. 11 USC 1307 (c)(1).

WHEREFORE the Trustee respectfully prays that this motion be granted and that an order dismissing this case be entered for cause pursuant to 11 U.S.C. §1307 (c) for the reasons herein set forth.

30 DAYS NOTICE: Pursuant to General Order No. 05-09, the Debtor(s), his/her/their counsel of record, and all those parties in interest who have filed a notice of appearance in this case, are hereby notified that unless a party in interest files an objection hereto within 30 days from the date of this notice, the case may be dismissed or converted without the need of further notice or hearing.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certified that a copy of this motion has been served on this same date, to their respective address of record to: Debtor(s), to their counsel and to all those parties in interest who have filed a notice of appearance by First Class Mail if not an ECFS register user.

In San Juan, Puerto Rico this Wednesday, May 21, 2008.

/s/ Jose R. Carrion

JOSE R. CARRION
CHAPTER 13 TRUSTEE
P.O. Box 9023884,
Old San Juan Station,
San Juan, P.R. 00902-3884
Tel (787) 977-3535
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
RAMON A COLON GUZMAN
ELSA D ALCANTARA GARCIA

DEBTOR (S)

CASE NO. 07-03232-ESL

CHAPTER 13

AFFIDAVIT FOR DEFAULT JUDGEMENT
PURSUANT TO SECTION 201(b)(4)
OF THE SERVICEMEMBERS CIVIL RELIEF ACT OF 2003

I , Olga Sosa , clerk for the Chapter 13 & 12 Trustee's Office, declare
under penalty of perjury, the following:

That according to the enclosed certification, provided by the Department of Defense Manpower Data Center (DMDC), the Debtor(s) is (are) not in active duty or under call to active duty as a member(s) of the Army, Navy or Air Forces of the United States of America; the National Guard; the Public Health Service or the National Oceanic and Atmospheric Administration.

To certify the above statement I sign this affidavit,

In San Juan, Puerto Rico, May 21, 2008.



Department of Defense Manpower Data Center

MAY-16-2008 11:31:10



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
COLON GUZMAN	RAMON A	Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.		

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

A handwritten signature in black ink, reading "Mary M. Snavelly-Dixon".

Mary M. Snavelly-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided

by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

*Report ID:***BKMMZXXTDPV**

Department of Defense Manpower Data Center

MAY-16-2008 11:32:22



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
ALCANTARA GARCIA	ELSA D	Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.		

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

A handwritten signature in black ink, reading "Mary M. Snavelly-Dixon".

Mary M. Snavelly-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
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*Report ID:***BKFNREHZBAG**

The undersigned hereby certifies that a true copy of the foregoing document was mailed by first class mail to the parties listed below:

JOSE R. CARRION
PO BOX 9023884, OLD SAN JUAN STATION
SAN JUAN, PR 00902

CELESTINO MATTA
US POST OFFICE & COURTHOUSE
300 RECINTO SUR ST., SUITE 109
OLD SAN JUAN, PR 00901

LOYDIANNE TORRES BERRIOS*
CHARDON & TORRES PMB 793
138 AVE WINSTON CHURCHILL
SAN JUAN, PR 00926-6023

RAMON A COLON GUZMAN
PO BOX 4124
CAROLINA, PR 00984

DATED: May 21, 2008

Olga Sosa

OFFICE OF THE CHAPTER 13 TRUSTEE